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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/970,013	10/02/2001	Noriaki Sakamoto	10417-102001	9407

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EXAMINER

KEBEDE, BROOK

ART UNIT PAPER NUMBER

2823

DATE MAILED: 05/09/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/970,013

Applicant(s)

SAKAMOTO ET AL.

Examiner

Brook Kebede

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 October 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☒ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☒ Claim(s) 1-23 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☒ Interview Summary (PTO-413) Paper No(s). 3.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Claim Objections

2. Claims 1-23 are objected to because of the following informalities:

Claim 1 recites the limitation “preparing a conductive fail and forming an isolation trench having a smaller thickness than that of the conductive foil on the conductive foil in a region excluding a **conductive pattern of a first layer**” in lines 3-6. Since the conductive pattern is not formed, the recited limitation is some what confusing. As suggestion change “preparing a conductive fail and forming an isolation trench having a smaller thickness than that of the conductive foil on the conductive foil in a region excluding a **conductive pattern of a first layer**” to --preparing a conductive fail and forming an isolation trench having a smaller thickness than that of the conductive foil on the conductive foil in a region excluding wherein a **conductive pattern of a first layer to be formed**-- or other appropriate change that makes proper claim language. Appropriate correction is required.

Claim 1 recites the limitation “forming plural layers of a conductive pattern on the conductive pattern of the first layer **through an interlayer insulating film**” in lines 8-10. There is lack of antecedent basis for interlayer insulating film and applicants are advised to establish proper antecedent basis for formation of the “interlayer insulating film.” Appropriate correction is required. Appropriate correction is required.

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Claim 1 recites the limitation “incorporating a circuit element into the conductive pattern **which is desirable**” in lines 11-12. However, the word “which is desirable” is not appropriate claim language. As suggestion, change “incorporating a circuit element into the conductive pattern **which is desirable**” to --incorporating a circuit element into the conductive pattern--. Appropriate correction is required.

Claim 1 recites the limitation “removing the conductive foil in a **thick** portion where the isolation trench is riot provided” in lines 15-16. There “a thick portion” lacks antecedent basis. As suggestion, change “removing the conductive foil in a **thick** portion where the isolation trench is riot provided” to --removing the conductive foil in a portion where the isolation trench is riot provided--. Appropriate correction is required.

Claim 13 recites the limitation “incorporating a circuit element into the conductive pattern **which is desirable**” in lines 5-6. However, the word “which is desirable” is not appropriate claim language. As suggestion, change “incorporating a circuit element into the conductive pattern **which is desirable**” to --incorporating a circuit element into the conductive pattern--. Appropriate correction is required.

Claim 13 recites the limitation “forming plural layers of a conductive pattern on the conductive pattern of the first layer **through an interlayer insulating film**” in lines 3-4. There is lack of antecedent basis for interlayer insulating film and applicants are advised to establish proper antecedent basis for formation of the “interlayer insulating film.” Appropriate correction is required. Appropriate correction is required.

Claims 2-12 and 14-23 are also objected as being dependent of the objected independent base claim.

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3. Applicants' cooperation is requested in reviewing the claims structure to ensure proper claim construction and to correct any subsequently discovered instances of claim language noncompliance. See *Morton International Inc.*, 28USPQ2d 1190, 1195 (CAFC, 1993).

Conclusion

4. This application is in condition for allowance except for the formal matters that is indicted in Paragraph 2 herein above.

Prosecution on the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

A shortened statutory period for reply to this action is set to expire **TWO MONTHS** from the mailing date of this letter.

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure Itsumi et al. (US/4,566,940), Iijima et al. (US/4,755,415), Reylek et al. (US/5,049,085), Wojnarowski et al. (US/5,366,906), and Yoneda et al. (US/6,165,907) also disclose similar inventive subject matter.

Correspondence

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brook Kebede whose telephone number is (703) 306-4511. The examiner can normally be reached on 8-5 Monday to Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Olik Chaudhuri can be reached on (703) 306-2794. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 308-7722 for regular communications and (703) 308-7722 for After Final communications.

Application/Control Number: 09/970,013

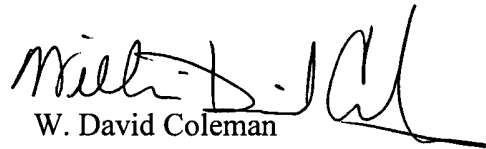
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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0956.

Brook Kebede

BK
May 1, 2003


W. David Coleman

Primary Examiner